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THE DETECTIVE CHIEF ATTACKS THE ASSISTANT DISTRICT-ATTORNEY.

HE TELLS THE POLICE BOARD THAT MR. O'HARE

WAS RECREAST IN THE PROSECUTION

Captain O'Brien, of the Detective Bureau, a long District-Attorney O'Hare in the Court of General Sessions last week. In the report Captain ing to show that Mr. O'Hare caused a miscarriage of justice in the acquittal of Thomas Rellly, a professional pickpocket, who was indicted on the charge of robbing Mrs. Clara Miller, of Jersey in a streetcar in this city. Captain O'Brier declares that the evidence was sufficient to warpant the conviction of Reilly if it had been presented to a jury properly. He says that Reilly owns a house in Lexington-ave., in the XXth As-

detectives discovered that there was a hole through the lining of the left outside pocket of his coat, this being an arrangement whereby professional pickpockets make it appear that their hands are their pockets, when in reality their hands are free to rob their victims. As to the identification of the prisoner the report says:

"Mrs. Miller, having been notified of his arrest, came to this bureau accompanied by Mrs. Clerihew, the day of the robbery, while in the company of her sister, Mrs. Clerihew, she boarded a Sixth-ave. car at the Desbrosses-st. ferry, going east. She pocketbook from which she had taken the fare to pay the conductor when she got into the car had The prisoner, Reilly, was then brought up from his cell. He was put in line with several men and Mrs. Miller pointed to the prisoner and she was positive he was the man who robbed her. Her sister, Mrs. Clerihew, also picked him out and stated she was positive he was the man who had robbed her sister."

When Rellly was called for trial before Judge Newburger last week Assistant District-Attorney O'Hare wanted to have the indictment dismissed, declaring that there was not sufficient evidence to convict the prisoner, although the witnesses had come from another State to testify. Captain O'Brien went to the court to protest, and found that Judge ceed. In his report Captain O'Brien declares that Mr. O'Hare informed him that he had recommended the dismissal of the charge against the defendant on the ground of insufficient evidence, and

After describing the manner in which Mr. O'Hare conducted the trial until the defendant was acconducted the trial until the defendant was acquitted. Captain O'Brien declares his belief that Mr. O'Hare did not properly prepare the case for trial, that Mr. O'Hare had subjected detectives to harsh and improper treatment on other occasions, and that Mr. O'Hare had been moved to resentment against the Detective Bureau because he was laughed at for swallowing the story told by Sylvester, the ex-copyict, about the Burden diamond subbergare. bbery case. Captain O'Brien also alleges that there was a

robbery case.

Captain O'Brien also alleges that there was a miscarriage of justice in the case of Charles Reiher, who was arrested charged with receiving stolen goods in October last from John Lyons, William Steinborn and John W. Berger, who were concerned in the robbery and plot to set fire to the silk establishment of F. A. Strauss, at No. 93 Greene-st. One of the men, Berger, confessed that Reiher had purchased the proceeds of the burglary, knowing the same to be stolen goods. Nevertheless, according to Captain O'Brien, while Lyons, Steinborn and Berger were confined in the Tombs, awaiting trial, Assistant District-Attorney O'Hare recommended the discharge of Reiher, who had been admitted to ball shortly after his arrest, and on such recommendation Reiher was discharged. Captain O'Brien says he has since learned that Reiher, grevious to his discharge on this indictment, had stitled with F. A. Strauss, the complainant in the case, for a money consideration, a civil suit which had been brought against him by Strauss.

A PRIVATE IN JAIL.

CHARGED WITH GROSS DERELICTION OF DUTY TOWARD HIS REGIMENT.

Henry A. Oak, a private in Company B. 9th Regiment, N. Y. N. G., is in Ludlow-st, jail for alleged gross dereliction of duty. Oak, since his imprisonent, has told a story of his woes which was directly and emphatically contradicted yesterday by officers of the regiment. Oak, it is alleged, he reached his majority he enlisted as a private employment from the Knickerbocker Ice Company, and as his work would take him out of the city for several months, he went to his captain, ex-plained the circumstances and asked to be suspended. He declares that the captain said that it about it until last Thursday night when Marshal Blake, of the regiment, found him and took him to jail for refusing to pay \$17 50 dues which the Marshal declared he owed the regiment. Oak makes a pathetic appeal for some kind-hearted Samaritan to throw himself into the breach and pay the money.

colonel Seward, of the 8th Regiment, when seen a Tribune reporter yesterday, said that Cak's tements were necessarily directly contrary to a facts of the case, as every National Guardsman uid plainly see. "In the first place," said Colonel ward, "Oak says that he asked to be suspended or man can be suspended by the captain of his mpany. There again he says that he heard thing more about it until last Thursday night, can Marshal Blake took him to jail. This is levulous, as it is directly contrary to the course lowed in such cases. The public can rest asted that a member of the National Guard is ver sent to jail except as a last resort, and en it is imperative to do so to maintain disaline."

when it is imperative to do so to maintain discipline."

Captain Arthur M. Tompkins, of Company B, in the start of Oak's case, said: "The facts are these: Oak enlisted a year ago last fall for the usual term of five years. From the report made to me by the first sergeant of the company, I find that Oak never attended more than one or two drills and so became a delinquent and nealected his duties from the start, after giving the regiment the trouble of enlisting and supplying him with a uniform, etc. He did not ask me for a furlough last summer or at any other time. He did not answer the summons to appear and explain his strange conduct, or appeal his case."

Henry Hentz, the chairman of the Special Committee on Sound Financial Legislation of the Cham-

"We have received many responses from all over the country to the declaration which the Chamber of Commerce at its meeting on March 5 unanimously Mopted, urging clear and distinct platform utterances from both of the great political parties in favor of the maintenance of the present gold stand-ard of value. It is evident that the Chamber has

ard of value. It is evident that the Chamber has struck the keynote of the feeling of the business men of this country, and that it has aroused a spirit which is bound to be respected by the platform-makers of both parties.

"The politicians of both parties may as well understand that the business men do not care the flip of a copper about party traditions and old party ties in the presence of a burning question which reaches to the hearthstone of every citizen. We will endure no more humbug nor deceit. The fight is on, and it is a fight to the finish."

NEW-ENGLAND WOMEN MEET.

a "literary afternoon" with Mrs. E. A. Greeley at the Windsor Hotel yesterday. Mrs. W. G. Slade presided, and the programme, which consisted of papers on various historical subjects, was as fol-

tween 1685 and 1765," Mrs. Treat; "Charter Oak," Mrs. H. J. Newton; "Arcada," Miss Tooker, and "Yale University," Mrs. Alexander Cook.
Among the ladles present were Mrs. Ralph Trautman, the Countess of Montague, Mrs. Vose, Mrs. W. T. Helmuth, president of Sorosis; Mrs. Leaper, Mrs. D. D. Youmans, Mrs. Mary D. Hall, Mrs. F. P. Furman and Mrs. H. C. Manning.

Commissioner John P. Faure was at the floating lodging-house at 7 o'clock yesterday morning, and made an investigation of the complaints which have been made that the lodgers were not properly treated. He would not say what he had discovered, but it is probable that an investigation will follow soon. Comprise the complete of the co soon. Commissioner Faure also visited Bellevue
Hospital, and it is expected that within two weeks
a wholesaie removal of officials will take place.
The Commissioner has in his possession all of the
evidence brought forward at the secret investigation, and his associates in the Board of Charities
will, it is believed, indorse his recommendations.
Bitong efforts are being made to save Register
Gleagon and Night Captain McHale.

O'BRIEN AND O'HARE AT ODDS THE BILL FOR MORE POLICEMEN.

COMMISSIONERS SEND IT TO ALBANY WITH THEIR APPROVAL-POWERS OF THE CHIEF DISCUSSED.

The Police Commissioners yesterday agreed to send to Albany with their approval a bill to increase the police force in the city by the appointment of 800 new patrolmen under civil-service rules. second section the bill provides that "the Board of Estimate and Apportionment shall provide the moneys necessary for the payment of the salaries of said additional patrolmen by authorizing the issue of revenue bonds of the city of New-York by the Controller in the manner provided by law and make provisions for the payment thereof ia the next final estimate made and determined by

The Commissioners have prepared a letter to be forwarded to Chairman Austin, of the Committee on Cities in the Assembly, calling attention to the importance of having the additional policemen. A copy of Chief Conlin's report recommending the Chairman Austin.

powers of Chief Conlin under the bipartisan law. Ever since they have been in office it has been the officers in the various ranks. Commissioner Andrews yesterday said: "The question of the powers Chief and the Board has come up for discussion. The present Board of Commissioners came into office just about the time the bipartisan bill became a law. It is true that we selected men to be detailed in various grades. We selected the Acting Inspectors, and we also appointed all the new roundsmen. Of course, we went right ahead, believing we were acting properly under the bipartisan bill. It must be remembered that in every case the final assignment to duty was made by the Chief. The question ha the new roundsmen. We discussed with Mr. Conlin yesterday the powers of the Chief. The Board does not desire to infringe on his powers. We intend to find out just what power the Chief has and how

Chief Conlin said that he would probably repor-

terfere with their chances of promotion in the future.

Commissioner Andrews reported to his colleagues that he had received from the Corporation Counsel an opinion relative to the powers of the Board to increase the force by the appointment of 100 additional men. Under the law, 100 men can be added to the force every year. The Commissioners wanted to know if they could appoint the men immediately.

The Corporation Counsel says they cannot, as only \$50,000 was appropriated to pay the men. This would only pay them for six months. Mr. Andrews said: "We are right up to our quota now. It is not safe to appoint another man at present. We have all the men on the payrolls that we can employ now. We have already appointed ten of the extra 100 men. By July 1, however, we can appoint the other ninety men. Up to that time we can only fill vacancies that arise."

The Commissioners had before them a bill introduced in the Assembly, which compels the

The Commissioners had before them a bin iniroduced in the Assembly, which compels the
Police and Fire departments to supply new uniforms to men whose uniforms have been destroyed
in the discharge of their duties. The Commissioners disapproved the bill in its present form.
They said that under it members of the force could
demand new uniforms when theirs had become old
and worn out.
The following communication was received from
Controller Fitch:

Controller Fitch:

"I have received the communication of the Chief Clerk of your Board transmitting a resolution of the Board of Police making requisition for the sum of \$9.416.35 pursuant to an allexed transfer stated to have been adopted by the Board of Estimate and Apportionment on March 4, 1895. Before taking action thereon I desire to give the matter further consideration."

consideration."

The transfer in question is the one which caused trouble between Commissioner Andrews and the Controller at the meeting of the Board of Estimate a few weeks ago.

CHARGED WITH STEALING DIAMONDS.

MRS. WOLF'S BUTLER, IT IS ALLEGED, ROBBED HER HOUSE IN HER ABSENCE.

John McMillin, of No. 312 East Thirty-second-st. who was arrested in front of the Herald Square Theatre by Policeman Thomas J. Hughes, of the East Fifty-first-st. station, at 11 o'clock Monday night, and escaped on the way to the station, wa arraigned in Yorkville Court yesterday morning and held for further examination. He is charged with the larceny of \$4,000 worth of diamonds from Mrs. John Wolf, whose butler he was, at No. 19 West

McMillin is an ex-convict. When released two years ago he attended the St. Bartholomew Misfessed reformation.

Mrs. Wolf, one of the patronesses of the Mission,

became interested in McMillin and gave him a but-ler's position in her house. One day last January, ler's position in her house. One day last January, in Mrs. Wolf's absence, he stole \$4,000 worth of diamond fewelry and departed. From time to time he returned pawn tickets from Washington, Boston and other places to Mrs. Wolf. After a while a letter came from him in Vaiparaiso.

Tuesday night Policeman Hughes, who used to be on duty at the Mission and knew McMillin, attended the Herald Square Theatre. When coming out he saw McMillin in the crowd. Scaling his wife, who was with him, home, Hughes stepped up to McMillin and arrested him.

"Well, you've got me." was the prisoner's comment. He jumped off a Forty-second-st crosstown car and gave the officer a good chase on the way to the station, but was recaptured.

JOSEPH P. JARDINE'S FUNERAL.

The funeral of Joseph P. Jardine, the well-known organ builder, was held yesterday afternoon at the Church of the Epiphany, Thirty-fifth-st. and Lexington-ave. The Rev. Dr. Cornelius R. Duffie, rector emeritus of the church, conducted the services, as-sisted by the Rev. J. F. Holmes, and the Rev. Mr. McGuffy, rector of St. James's Church, Newtown, Long Island. The church was filled with people. There were many floral tributes. Fifty odd mem bers of Company G, 22d Regiment, acted as an escort and preceded the hearse to the cemetery They were in full-dress uniform and were lined two

They were in full-dress uniform and were ment two deep on the sidewalk opposite the church. The regimental band was also in attendance.

Mr. Jardine and his brother, Edward G. Jardine, formed the well-known firm of George Jardine & Son, organ builders. Joseph P. Jardine was the senior member of the firm. He died from heart trouble at his home, No. 221 East Thirty-ninth-st. His brother Edward died from the same disease two days later.

days later.
The pallbearers were Captains Thurston, Stafford,
Sherwood, Murray, Borland and Lilliendahl, all of Sherwood, Murray, Borland and Islinendam, an or the 22d Regiment.

Among those who attended the services were Colonel David S. Brown, Colonel John T. Camp and Lieutenant-Colonel William V. King, Major Frank-lin Bartlett and Major George F. Demarest, all of the 22d Regiment. The following ex-members of the regiment were also present: General George W. Wingate, General Harding, Lieutenant C. Cullen and Calonel Brown.

Wingate, General Theorems (Colonel Brown, Colonel Brown, Delegates from Empire City Lodge, No. 206, F. and A. M., and James Monroe Post, No. 607, G.A. R., were present.

Burial was in Trinity Cemetery. When the coffin was lowered into the grave the soldiers who acted as escort fired a volley.

DIED AT A RECEPTION.

Joseph A. Samper, formerly steward of the Hoff-man House, fell dead Monday night from heart dis-ease at a reception of the James Stewart Associa-tion, at No. 427 Fourth-ave. Mr. Samper was sev-enty-one years old, and lived with his wife and two laughters at No. 751 Amsterdam-ave. He had been lately a salesman for Austin, Nichols & Co., but

lately a salesman for Austin, Nichols & Co., but for fourteen years was steward of the Hoffman House.

He took his daughters Monday night to the entertainment of the Stewart Association, which was held after the Republican primary had been decided in the same place. Though he had at different times been temporarily overcome by attacks of heart weakness, he said before starting Monday evening that he was feeling unusually well.

Mr. Sample was telling a story to a group of young persons, one of them his youngest daughter, when the attack came. His other daughter was at that time dancing ir another part of the room.

A physician was summoned, but he said that the man had died instantly.

THE ST. PAUL'S PASSENGERS.

Among the passengers who will sail on the Amer Among the passengers who will sail on the American Line steamship St. Paul from this city for Southampton at 11 o'clock this morning are M. B. I. Goddard, of Providence; Adolph Moliner, of Havana; Captain J. C. Sanford, U. S. A., and Mrs. Sanford, of St. Louis; W. A. Smith, of Chicago; J. W. Wentworth, of New-York; A. Lambeth, of Helena, Mont.; Joseph Trotter, of Philadelphia; Mrs. L. Clarke Davis, of Philadelphia, and Nelson Jutras, Mrs. H. S. Jackson, C. H. Hart, Mr. and Mrs. A. W. Bates and Mr. Aldridge, of New-York, The United States and Royal Mail steamship Germanic, which sails for Liverpool at 10 o'clock, will carry, among others: Captain Barnes, Miss Muriel C. Bernal, W. H. Glenny, John Gledhill, I. K. Kerr, Dr. Emil Kleen, Austin Reed, J. S. Robertson, W. C. Warner, Miss S. L. Wetmore and Henry Wreaks. THE BIRDS' SOCIAL LIFE.

MRS. MILLER TALKS ABOUT THEIR HABITS IN THEIR HOMES.

That birds have a distinct social life of their own, which is full of interest for the intelligent observer, was the theme of Mrs. Olive Thorne Miller's lecture

yesterday morning at the Waldorf. begin with the relation of the pair to each other The most important feature of this, which I have mentioned to you before, but which is unknown to the vast majority of people, is that bird marriages affections, of which proofs may be found every-

Mrs. Miller said that parrots were notably devoted birds and were willing to make great sacrifices for their mates. She mentioned a case which had come under her observation where one of a caged pair had managed to make her escape into the open air ment between them, hung the cage, with the de serted one in it, at the open window. His calls teached his runaway mate and soon persuaded her return to share his prison. Grief at the death of their mates is nearly always shown by birds, and some species mourn for what might seem an incredible length of time. They frequently return to the old haunts, flying about and cailing as if they hoped to be able to find the lost one again. Another astance of the affection between them is the attention almost invariably shown by the male to the while the latter is hatching the young brood. He brings her food, sings to her, and often shares the task of sitting on the eggs, thereby giving her an opportunity for rest.

"I am sorry to say, however," continued the lecturer, "that in spite of this usually happy state of domestic affairs, there are occasional unmistakable instances of bird divorce. Sometimes it is the husband who tires of his spouse and drives her away to make room for a new bride. Again it is the wife, who, perhaps, makes up her mind that the father of the family is not providing properly for its wants, and rejects him on that score. In one case of the kind which I watched I am sure this \$0, 1894, he accepted \$100 from Francis W. Seagrist. was the trouble. The husband was a cripple, from an injury to his leg, and was certainly rather helpless. But he opposed vehemently all efforts to drive him away, and succeeded in maintaining his author-ity until he was again able to care for his house-

ity until he was again able to care for his household."

Outside of family relations, Mrs. Miller said, it appeared that birds were fond of the society of their kind in a general way. They frequently lived in groups or colonies, all retiring at night to the branches of one tree to roost. Some of the most social species are the robins, swallows, Carolina parrakeets, guils, terns and crows. The latter, she parrakeets, guils, terns and crows. The latter, she said, were most interesting birds on account of their many peculiar and intelligent ways. It has long been noticed that they have some kind of government among them, with certain recognized leaders. Their generosity and sympathy toward any unfortunate or helplers ones in the flock have also been especially noticeable.

Mrs. Miller, in speaking at the close of the slight. especially noticeable.

Mrs. Miller, in speaking at the close of the slight amount of bird knowledge possessed by people in general, said that she arriculed it chiefly to the difficulty of close observation and the lack of time to devote to it.

THE WORDING MUST BE CHANGED.

MAYOR STRONG TELLS COLONEL WARING THAT HIS ADVERTISEMENT FOR BIDS MUST IN-CLUDE "ALL OTHER GARRAGE."

Commissioner Waring, of the Street Cleaning Department, advertised yesterday for bids for the discosal of the city's garbage and ashes. There occur the advertisement the words "garbage and all lent Jersloman, of the Board of Aldermen, saw the able Commissioner Waring to evade the order of he Board of Estimate that invitations for bids things have formerly been disposed of by the Stree Mayor Strong had Commissioner warms can be to his office, and told him the altertisement must read "all other refuse." with the objectionable "delivered at the city's dumps" omitted. There may be some trouble also over the fact that the advertisement calls for the opening of the askes bids on March 25 and the garbage bids on March 26.

SUBDUED BY CAPTAIN SHEEHAN.

TWO DRUNKEN LABORERS WHO DID NOT KNOW THE PEOPLE THEY WERE TRYING TO BULLY. and William Egan, twenty-one years old, of No 14 East One-hundred-and-sixteenth-st., took seat:

opposite him and began to sing. On the adjoining with singing Irish airs until they discovered that several of the passengers were laughing at them. They waxed wroth at once and began to abuse their audience roundly, using such a flood of profanity

commanded silence. Each was a little surprised at the action of the other, and a brief explanation

the action of the other, and a brief explanation followed. Breen made a lunge at Captain Sheehan. The captain's flat shot out like lightning and Breen measured his length on the car floor, to be followed a few seconds later by Egan, who met Burch's fist half-way. The car was then at One-hundred-and-forty-ninth-st, and the few remaining passengers took refuge in another car.

Breen and Egan were on their feet again in less than ten seconds, only to go down again. Before Breen could recover himself the second time, the captain seized him by the collar, jerked him to his feet and slapped his face until he was glad to sink into a seat and keep quiet. Burch was equally as effective in his treatment of Egan, and when the train stopped at One-hundred-and-sixty-first-st. Breen and Egan were an extremely meek pair.

They accompanied their captors to the Morrisania station, and there spent the remainder of the night in separatic cells. When they were arraigned before Magistrate Mott in the Morrisania Court yesterday morning, there was not a bit of fight in them.

"Judge, I was full," said Egan, "and I thought

ogain."
Captain Sheehan did not appear in court, but on the strength of Policeman Burch's story Magis-rate Mott fined them & each, and as they could not pay it they were committed to prison.

A deputy-sheriff yesterday took charge of the place of business, at No. 275 Canal-st., of William Harvey & Co., ivory and wood turners, manufacturers of canes, umbrella-sticks and briarwood pipes, whose headquarters are in Philadelphia, on an execution against the present partners, John Watts, Joseph H. Watts, Edward Osborn and W. H. Paul, for 19.919 in favor of the Kensington National Bank of Philadelphia for money loaned. Executions for \$19,298 have been entered against the firm in Phila-delphia. The business has been established many for thirty years.

Durland's Riding Academy Company, at Sixtleth-st. and Central Park West, made a general as-signment yesterday to Michael W. Nolan.

An attachment was obtained in the Supreme Court here by Frank.in Bien yesterday for \$221,856 against Robert Callaghan, manufacturer of cotton and woollen goods in Philadelphia, in favor of Albert Callaghan, as trustee for Elizabeth Callaghan. The attachment was based on a judgment obtained yesterday in the Court of Common Pleas of Philadelphia, on a debt past due, and was served on a commission merchant here to attach any goods belonging to Mr. Callaghan. The business, it is said, was established more than forty years ago by the father of Robert Callaghan, and the latter has carried it on since 1865. Robert Callaghan is said to own the mill property, fifty-five houses and a large amount of other real estate in Philadelphia, valued at \$300,000. It is reported here that the liabilities will reach \$650,000.

Percy L. Klock has been appointed receiver for the property of John Schuyler Crosby on the application of David V. Howell, who obtained a judgment against Crosby for \$8,223 in March, 1833. An affidavit was presented, to the effect that ever since the entry of the judgment Mr. Crosby has systematically and persistently avoided being in this State except on Sundays and legal holidays.

Kaplan & Wallach, cloak manufacturers at No. 120 Greene-st, whose troubles were reported yesterday, gave a chattel mortgage for \$2,000 to Simon Feist, of Feist Brothers, and not to Max Feist, as reported. Max Feist says he has had no connection whatever with the case. here by Frank in Bien yesterday for \$221,856 against

CAPTAIN DEVERY ON TRIAL.

PROSECUTION ON THE CHARGE OF EX-TORTION.

FIFTEEN TALESMEN EXAMINED BEFORE JUSTICE SMYTH AND ONLY ONE JUROR SECURED-

The trial of ex-Police Captain William S. Devery, terday morning in the Criminal Branch of the Supreme Court before Justice Smyth. The courtis said to be analogous to that against Inspector Colonel E. C. James and A. I. Elkus are represent ing the defence, and ex-Surrogate D. G. and Austen G. Fox are the prosecuting attorneys.



who was then at work on the American Surety Building, for neglecting to enforce the police regulations. An indictment was found on March 18, 1895, just a year ago to-day.

The indictment under which he is now being tried was found when he was captain of the Old Slip station. He went from that command to the El-dridge-st. station, and while there was accused of He was indicted by the Grand Jury and tried and dismissed by the Police Commissioners. He was acquitted in Oyer and Terminer on the indictment, ordered. The Police Commissioners reinstated him and immediately suspended him pending the result

Captain Devery was in court early, and appeared slightly nervous. He sat beside Colonel James, and new and then prompted the questions to be asked of the talesmen under examination.

No special panel had been called. Mr. Rollins opened the proceedings by asking that the defendant be tried on the last count of the five included in the indictment. Colonel James objected, unless the first four counts be dismissed altogether. He said that it was illegal to try on one count and hold the other four for purposes of reference. The fifth count charges extortion, the others charge bribery. Justice Smyth ruled against Colonel James and

allowed him an exception.

The first juror accepted was the second talesman examined. He was Anton J. Lehman, a manufacturer of canned goods at No. 281 Broome-st.

Herman Lowenheim, a salesman, of No. 779 Broadway, was asked if he had read in the newspapers reports of the Lexow investigation and said; I began some of them, but they did not interest me. did not believe they could be true

This is the question that disposed of Lowenheim: The fact that a witness has been involved in an act of turpitude is a fact to be considered by the jury, but it does not follow that because a witness has been involved in crime prior to becoming

has been involved in crime prior to becoming a witness his testimony is not to be credited. Do you understand what I mean?"

John A. Burke, a barber at No. II King-st, failed to answer any of the puzzling questions, and Justice Smyth sustained the challenge to excuse him for lark of intelligence. The defence objected, as they did to every challenge based on inability to reply to hypothetical questions, and the Justice in overruling the objection said. "I am carrying out the letter some of those questions myself."

Henry P. Chilton, of No. 159 West Forty-fifth-st, a banker, at No. 89 Broadway, passed successfully.

a banker, at No. So broadway, passed succession, through the ordeal of the attack of the prosecution, but he yielded to the defence when, in answer to a question from Mr. Elkus, he said: "I have formed an opinion regarding the almost universal corrup-tion among the police, especially among the higher officials, but I know nothing of the facts in this

Smyth.
"I would accept the ruling of the Court."
Cross-examined by Mr. Elkus he relterated his statement that he was prejudiced against the police and not personally prejudiced against the defendant. He told of having spoken about the case with a friend and of the latter having expressed an opin-

a friend and of the latter having expressed an opinion on the case.

"What did he say?" asked the Court.

"Soak him!" was the reply.

There was a quickly suppressed chuckle throughout the courtroom, and then after some further explanation Mr. Chillion was excused on the defendant's challenge for blas.

When court adjourned till to-day, fifteen talesmen had been examined and only one juror chosen.

COLONEL JAMES'S NOTICE OF APPEAL HE WILL TAKE THE MILAUGHLIN CASE UP TO

THE HIGHEST COURT-THE DISTRICT-ATafternoon filed with the Appellate Division the formal order of affirmation in the decision of the Supreme Court in the case of ex-Police Inspector William W. McLaughlin. If the order is approved, Mr. Lindsay will cause a notice to be served on McLaughlin's bondsmen to produce the latter at the District-Attorney's office so that he can be sent to Sing Sing Prison to begin his sentence of two years and six months' imprisonment. This is provided counsel for McLaughlin does not secure a certificate

At 5 o'clock Acting District-Attorney Vernon M Davis left his office for the day and said that no in-formation had been received from the Appellate Division as to whether the order Mr. Lindsay filed there had been approved. Until such information shall be received no action will be taken to arrest

of reasonable doubt, which would act as a stay of

shall be received no action with the case. McLaughlin, filed with the Appellate Division of the Supreme Court yesterday afternoon a notice that he intended to appeal from their decision. The appeal will be based on the ground that they overruled the action of Justice Ingraham, who refused to grant the order for the change of venue.

Colonel James said that some decisive action would be taken this morning.

ASA BIRD GARDINER SUES FOR SLANDER Papers in a suit for the recovery of \$20,000 for slander were filed yesterday in the County Clerk's office by counsel for Asa Bird Gardiner. The de office by counsel for Asa Bird Gardiner. The de-fendant is John S. Norman. The complaint alleges that at a meeting of the Committee on Land and Places of the Board of Aldermen and the Park De-partment on Noyember 21, 1895, at which it was sought to determine who should take charge of the flags to be raised at the Battery and over the Independence days, the plaintiff submitted an affi-Independence days, the plaintiff submitted an am-dayit containing statements alleged to have been made on the subject by Norman. It is also alleged that after the meeting Norman accused Gardiner of averring some things in the affidavit which were false and outrageous, and said that Gardiner had made a fool of himself. The plaintiff considers this sufficient ground upon which to prove that he has been slandered by Norman, and therefore asks the court to award him \$20,000.

THE SUPREME COURT CALENDAR. Washington, March 17.-The day call in the United COURT CALENDARS FOR TO-DAY.

COURT CALENDARS FOR TO-DAY.

Appellate Division—Supreme Court—Before Van Brunt, P. J.; Barrett, Ramsey, O'Brien and Ingraham, JJ.—Court opens at 1 p. m. Judgments: Nos. 34, 56, 36, 19, 63, 71, 19, 78, 1, 65, 79, 53, 23, 27, 40, 49, 64, 41, 81, 62, Supreme Court—Special Term—Part II—Before MacLean, J.—Motion calendar called at 11 a. m.

Supreme Court—Special Term—Part III—Before Beekman, J.—Court opens at 10:30 a. m. Ex parte matters, Supreme Court—Special Term—Part III—Before Pryor, J.—Divorces: Nos. 2440, 2447, 2435, 2427, 2438, 2442, 2448, 2966, 2537, 2680, 2447, 2448, 2914, 2672, 2690, 2707. Clear.

Supreme Court—Special Term—Part IV—Before Davy, J.—Law and fact: Nos. 1796, 1866, 1328, 1682, 1483, 1043, 1851, 1879, 1869, 1921. Clear.

Supreme Court—Special Term—Part V—Before Russell, J.—Causes to be sent from Part IV for trial. Clear.

Supreme Court—Special Term—Part VI—Before An-

drews, J.—Causes to be sent from Part IV for trial. Clear.
Supreme Court—Trial Term—Part VII—Refore Beach,
J.—Elevated railroad cases. Case unfinished.
Supreme Court—Special Term—Part VIII—Adjourned for
the term.

the term.
Supreme Court—Trial Term—Part II—Before Freedman,
J.—Preferred causes: Nos. 7002, 7519, 7510, 7654. Clear.
Supreme Court—Trial Term—Part III—Before Gildersleeve, J.—Nos. 150, 1854, 1963, 1739, 47, 2101, 403, 1270.
Case to be summed up. finished.

Supreme Court—Trial Term—Part V—Before McAdam,
J.—Causes to be sent from Part III for trial. Clear.

Supreme Court—Trial Term—Part VI—Before Daily, J.—
Causes to be sent from Part III for trial. Clear.

Supreme Court—Trial Term—Part VII—Before Dugro,
J.—Nos. 909, 1591, 1851, 1892, 482, 2107, 2176. Case un-

erich, J.—Causes to
lase unfinished.

Supreme Court—Trial Term—Part IX—Before Bischoff,
F. J.—Caures to be sent from Part VII for trial. Case
to be summed up.

Supreme Court—Trial Term—Part X—Before Bookstaver,
L.—Causes to be sent from Part VII for trial. Clear.
L.—Causes to be sent from Part VII—Adjourned for
Supreme Court—Trial Term—Part XI—Adjourned for

low, Judah A. de Lima, at 10:30 a. in.; John J. Hallehbeck, at 2 p. m.
Surrogate's Court-Trial Term-Before Arnold, S.No. 1110, will of John B. Haskina, at 10:30 a. m.; No.
1123, will of Kunigunda Bischoff, at 10:30 a. m.; No.
1123, will of Kunigunda Bischoff, at 10:30 a. m.
City Court-Special Term-Before Van Wyck, C. J.Court opens at 10 a. m. Motions at 10:30 a. m.
City Court-Trial Term-Part I.—Before O'Dwyer, J.Nos. 90o, 81, 372, 810, 30:114, 594, 10:503, 10:53, 10:54, 10:44,
552, 877, 3702, 292, 3383, 556, 538, 907, 1192, 30:34, 1194,
552, 877, 3702, 292, 3383, 556, 538, 907, 1192, 30:34, 1194,
552, 877, 3702, 292, 3383, 556, 538, 907, 1192, 30:34, 1194,
552, 877, 3702, 292, 3383, 1556, 538, 907, 1192, 50:34, 1195, 1196, 1197, Clear,
City Court-Trial Term-Part II.—Before McCarthy, J.
1207, Case unfinished.
City Court-Trial Term-Part III.—Before McCarthy, J. 1134, 1146, 1976, 31804, 1198, 1199, 1209, 1205, 1204, 1206, 1217, Case unfinished.

City Court—Trial Term—Part III—Before McCarthy, J. Nos. 892, 893, 287, 678, 108, 7654, 767, 925, 679, 821, 548, 17, 764, 858, 921. Case unfinished.

City Court—Trial Term—Part IV—Before Fitzsimons, J.—Short causer: Nos. 2863, 3485, 3805, 28069, 3806, 3044, 3952, 4069, 3441, 3411, 4112, Clear.

REFEREES APPOINTED.

United States Life Insurance Company vs. Work-Willlam E. Stilling. Kerr vs. Spooner-Isaac B. Brennan. RECEIVERS APPOINTED.

Supreme Court. By MacLean, J. Mater of Twenty-fourth Ward Real Estate Associa-tion—Paniel R. Kendall. Henry Barge vs. Paul D. Hitter—Joseph P McDon-orth. August Finck vs. Joseph Pospisil—William H. Keogh. David V. Howell vs. John S. Crosby—Percy L. Klock

By Beekman, J.

Charles Hillemeter vs. Marcus Murray—George T.

Goldshwatte.

INSANITY EXPERTS TESTIFY. THEY REGARD LEVY AS A DANGEROUS LUNATIC-

CHARACTERISTICS OF PARANOIA. Well-known medical experts in brain and nervous diseases testified yesterday when the trial to de-termine the mental condition of Daniel Levy was resumed before Justice Bischoff and a jury in IX, Trial Term, of the Supreme Court. De Lancey Nicoll, counsel for the prosecution, contends that Levy is insane on a single subject, his love of fifteen years for Mrs. Harriet Lehman. Charles F Holm, Levy's counsel, denies that Levy is insane, and says that his love for Mrs. Harriet Lehman was a mere infatuation, such as a sane man might

The first witness was Dr. Landon C. Gray, who said he had made a study of mental diseases and had written books on the subject. He was called on behalf of Levy, but said that after an examination of the man last Saturday he had not reached any conclusion as to his mental condition. Dr. Allen Fitch, of Bellevue Hospital, testified that

Levy was suffering from paranola. He told of a number of similar cases, and said that he examined and committed Dougherty, who was in love with Mary Anderson, and imagined that she was in love with him. Dougherty had a long list of persons he intended to kill, and he did afterward kill Dr. Lloyd at the Flatbush Asylum.

"You committed Daugherty, did you not?" was sked. "I did, and I was very glad when he was locked up, because he had me on his list," said Dr.

The witness said that persons suffering from paranola were liable to become dangerous at any time. He defined paranoia as a fixed and unchanging delusion. In his opinion Levy was insane, and pr. H. Valentine Wildman, examiner in lunacy, testified that he had twice examined Levy and concluded that he was suffering from paranola. said that Levy had an irresistible impulse to follow Mrs. Lehman, which he could not control even if he desired to do so. There was danger of a person with paranola committing acts of violence. if he desired to do so. There was danger of a person with peranola committing acts of violence. Dr. William A. L. Macy, superintendent of the Ward's Island Asylum since 180, testified that persons suffering from paranola were liable to injure themselves or others and to commit murder or suicide. He declared that Levy was insane. Dr. Allan McLane Hamilton, of No. 44 East Twenty-ninth-st., testified that he had seen a large number of cases of paranola. He said that there were a large number of persons at liberty suffering from paranola, and that no one knew they were insane. The large number of persons commonly called cranks. Dr. Hamilton said, were suffering from paranola. Hy way of Blustration he toid of a certain professional man chame not mentioned in this city, who was generally considered sane, who was suffering from paranola. Dr. Hamilton said that the man in question, who stood high in his profession, imagined that his wife, who does not live in the city, came to his house at night and blew poison through the keyhole of the house. The witness had examined Levy, and considered that he was suffering from paranola sexualis. He said it was imprudent to allow Levy to be at large, as he believed that some day he would commit from eact of violence.

William Well was called in rebuttal and testified that Sigmund Lehman told him he would spend every cent he had to put Levy out of the way of his wife and family, as he was tired of having detectives to watch Levy.

Levy was then recalled to the witness stand by his counsel. He denied that he had ever said he felt like killing Sigmund Lehman or had made any threats against him. He also said he did not believe that Mrs. Lehman had any affection for him. The testimony was closed and an adjournment taken until to-day, when counsel will sum up.

NO PANAMA AND NICARAGUA UNION.

William Nelson Cromwell, the American counsel of the new Panama Canal Company of Paris, referring to reports that a consolidation of the Panama and Nicaragua companies had been agreed upon or was under negotiation, made the following statement: under negotiation, made the following statement:
"I confirm the fact that I have just filed with the
Secretary of State, Mr. Olney, a formal declaration
in behalf of the new Panama Canal Company, that
there does not exist, nor is there in contemplation,
any agreement, arrangement or plan for the consolidation or acquisition of the Panama Company,
with or by the Nicaragua Company, under any form
of ownership or control and that there has not been of ownership or control, and that there has not been any negotiation to that end. Without commenting in any way upon the Nicaragua project, my client

in any way upon the Nicaragua project, my client unequivocally denies that there is any foundation in fact or in design for the rumors referred to.

"As the Government of the United States has chartered the Maritime Canal Company of Nicaragua, and has given it governmental countenance, it became our duty to advise this Government of these facts, that there might be no possible misapprehension by the Government and the people of the true position of the new Panama Company.

"It is popularly supposed that the new Panama Canal Company of Paris is a Governmental organization. This is an error. It is a private corporation, organized about two years ago under the general laws of the Republic of France, just as any business corporation may be organized under the general laws of any State of our Union, which are open to all citizens alike, unsustained by Governmental aid or patronage. It is to be distinguished from the old Panama Canal Company in every sense. It is an entirely new and solvent association, taking over the concessions, with adequate capital and different personnel. Its directory is composed of the representatives of the strongest financial institutions of France, prosecuting the enterprise purely as a business undertaking."

REGISTER'S OFFICE MAY MOVE.

Register Sohmer was seen yesterday morning re-garding the rumor that the Register's Office would be moved to the Stewart Building as soon as plans which are being made could be completed. The Register would neither deny nor confirm the

rumor, but said that something would be done soon. He said that he was called upon Monday afternoon by a committee of three, appointed by the Grand Jury, consisting of Messrs, Hermann, Stewart and Jury, consisting of Messrs. Hermann, Stewart and Hoffman, and they looked over the building. The object of the committee was to get an idea of the office's condition and to make a report relative to the building of a new structure for the keeping of public records.

Chairman Hermann, of the committee, was astonished at the dilapidated and unsafe condition of the building.

In regard to the closing of the office to the public at 4 o'clock in the afternoon and on Saturday's at 12 o'clock noon, Mr. Sohmer said that he had issued that offer solely to protect the records. He said that after 4 o'clock in the afternoon there is only one man in charge of the building, and it would be an easy matter for one to slip out with some record or other.

Register Sohmer was of the opinion that two floors of some of the nearby modern office buildings would be sufficient for the transaction of the business of the office.

A BOOM IN MAY COTTON.

BEARS FEAR THAT MR. INMAN HAS ANOTHER CORNER ON THEM.

A SHARP RISE OF TWENTY-ONE POINTS IN THE OPTION-MR, INMAN GIVES HIS OPINION

OF THE MARKET-A BULL DAY. A cloud much larger than a man's hand over spread the rosy sky of the bear operators in cotton yesterday. There was a frantic scramble among them in the afternoon to buy back some of the unnumbered millions of bales of cotton that they have been merrily selling for four months. It was a great big bull day on the New York Cot-ton Exchange, and it bid fair to be followed by other buil days. The long expected squeeze in May cotton seemed to have arrived on time and from the quarter in which it was expected. When the gong sounded and trading ceased there was a vague, unconfirmed, but pretty well fixed belief in the minds of the traders and speculators that ohn H. Inman was again under a heavily oversold market, and that the bears would once more be invited to step up to his little window and settle at an enormous loss to themselves.

Mr. Inman is the largest dealer in cotton in this country, both in actual cotton and futures, and he has amassed a vast fortune by his business sagacity, speculative foresight and courage. Last spring he led the movement which only culminated after a rise of four cents a pound in cotton. It was believed and remarked on the floor of the New York Cotton Exchange yesterday that Mr. Inman, with the assistance of the Greek house of Ralli Brothers, the largest exporters of cotton in this country, had cornered the cotton bears on May. There was a swift rise in May quotations as this truth began to glimmer over the market. That option which opened at 7.50, or 4 points down from Monday, sky-rocketted to 7.71, or 21 points, and the rest of the market followed after, though not so far or so fast. In reply to a query Mr. Inman disclaimed any knowledge of a May corner, but said he believed in higher prices for cotton. In his office just before the market closed, Mr. Inman, speaking to a Tribune reporter, left little doubt as to his position to ward cotton.

"The market," Mr. Inman said, "has been running down since October, and forty-seven out of fifty men on the floor are short. At this time last year, the port stocks were 250,000 bales and the stocks at New York, 202,000 bales. The stocks here were increased after this time last year to 232,660 bales by May 3. Port stocks are now down to 665,000 bales, while the stocks here are down to 159,000 bales and are disappearing very rapidly. Two-thirds of what is here is now sold in Europe. There is a large line of May held here by exporters to be shipped to Europe, I should judge about 70,000 bales. The trouble is that we have overexported ourselves. We have been below Europe right along, and they are taking the cotton every day. They are taking it now,

"My house is not particularly interested in May; rather more in the general market. Of course, if May runs a long way shead of other months they may sell it out and take June. Nobody wants to see a close corner in May, but I predict somebody

may sell it out and take June. Nobody wants to see a close corner in May, but I predict somebody will make a close corner in August if these stocks continue to run down as they have been doing. They will be down to 50,000 bales by August I, and three-fourths of that will be staple cotton; that is, compressed cotton from Texas and Louisiana held here for sale to spinners, which, because of its quality, is worth is to be cent a pound more than the standard grade.

"The best customer I have ever had has been the bear," continued Mr. Imman. "Get enough of his contracts to deliver at a low price and he is the best customer it is possible to have. It looks to me like an oversold market, just as much as in October last it was an overbought market, when everybody was long of cotton. Everything has been against the market—the drygoods trade, politics and business—else the price would never have gone as low as it has. The price may go back a little yet. After a jump of if points to-day nobody need think anything of that. American mills—most of them, at least—have got to buy supplies until the middle of September, but our main reliance is Europe. Trade is good over there, and they are buying from us right along."

Henry Hentz & Co., Price, McCormick & Co., Herman Hagedorn and William Mohr, the leader of the German bear brigade, and a host of smaller operators were heavy buyers of cotton in the late trading. The volume of sales on the New-York Cotton Exchange was greater than in a long time, the total being \$39,400 bales, of which 185,100 were sales of May. This month closed at 7.69, or 2 points over the closing for August, 19 points above the bottom and 14 points net gain for the day. The rest of the list was 4 to 11 points higher for the day.

There was no other influence after the opening but the diread of a May squeeze, and great efforts were made to avoid being caught in it. Mr. In-

There was no other influence after the opening but the dread of a May squeeze, and great efforts were made to avoid being caught in it. Mr. Inman's brokers were persistent buyers of May all day, and the Greek interests were also buyers. The early drop in prices was on disappointing advices from Liverpoot, but the foreign market caught the American spirit before it closed and railied sharply likewise.

The spot markets everywhere in America were higher. The local market was 3-16c, higher, and sales included 1.418 bales for export and 201 for home spinning. New-Orleans sold 2.50 bales and Memphis 1.200. Other Southern markets had fair sales likewise. Liverpool sold 8,000 bales.

Fort and interior receipts were small, but they cut no figure in the presence of the chief influence of the day, the conjectured corner if May. Unconfirmed reports from Washington said that an error in the Bureau report would reduce its total crop estimate to 6,085,000 bales.

BALLARD'S EXPERIENCE OF ARRESTS.

HE TELLS A TALE OF POLITICAL PERSECUTION-

RHINE WINE AND SODA HIS ONLY DRINK. George Ballard has brought suit against the Man-hattan Railway Company for \$5,000 damages for al-leged false imprisonment. The trial was begun yes-terday before Justice Giegerich and a jury in Trial Term, Part VIII, of the Supreme Court. In his complaint Ballard, who is known as a politician and complaint Fallard, who is known as a pointerian and has held places in the Dock Department, Custom House and police force, alleges that while he was travelling on the Third-ave, elevated road from South Ferry, quietly minding his own business, a guard accused him of disorderly conduct. Ballard says he objected to the impudence of the guard, and that he was dragged from the car at Chatham that he was dragged promised average and other than the car at Chatham Square, where he was handed over to a policeman. He was locked up in the Oak-st, station, and then taken to the Tombs Police Court, where he was fined

Ballard estimates his damages as follows: Guard's liberty in addressing him without a formal introduction, \$300; guard's accusation, \$1,000; notoriety caused him in the car by being obliged to assert his rights, \$1,000; ruffle of dignity at Chatham Square, \$2,000, and humiliation in the police court, \$500.

The plaintiff was placed on the witness stand, and testified in support of his complaint. He said he was returning at the time of the trouble from Cypress Hills Cemetery, where he had buried a son.

"The Judge who fined me in the Court was a Tammany man, or I should have gone free," said Bailard. "I told him the fine was a barefaced robbery."
On cross-examination the plaintiff admitted that on various other occasions he had been fined for disorderly conduct. He had assaulted Abraham Levy, his first attorney in this case, and was sent to the Island for ten days for that.

"Did not John Kelly, the Tammany leader, have you arrested for an assault upon him?" was asked.

"I admit that," was the reply, "but I received unfair treatment. The only thing I did to Kelly was to point at him and say that he was Kelly the fakir, and that he did nothing, but was drawing \$15,000 for doing it. I was fined, of course, because this Justice was also a Tammany man. He took \$10 out of me.

In reply to further questions, the witness said he had lost his various places in the public service through political reasons. He was removed from the Custom House, he declared, because he was too honest and straightforward a Republican.

"There seems to be an impression," said Ballard, "that I was drunk when I was put off the elevated car. I never handed liquor in my life. My only drink is soda water and Rhine wine. I would like to take a bottle of it with you now."

Justice Giegerich said that he could not allow that, although it was St. Patrick's Day, Ballard replied that he though the Justice would not object to a bottle himself. This ended the plaintiff's testimony.

James Murphy, an elevated railroad guard, testified positively that Ball \$5 on the disorderly conduct charge.

The case was adjourned until to-day.

EDUCATION AND CHARITY.

The fourth monthly conference under the auspice

of the Central Auxiliary Committee of Women of the United Charity Organization Society was held in Assembly Hall, Fourth-ave, and East Twenty-

second-st., yesterday. The general subject of the conference was "School Life as a Preventive of Future Pauperism." Miss Nora Archibald Smith read a paper on "The Kindergarten as Charitable Work."

Mrs. A. H. Louis addressed the conference on "Manual Training Schools." R. Fulton Cutting spoke of "Trades Schools," which he urged as important factors in the fitting of the youth for the practical duties of life. The Rev. W. W. Lock read a paper on "Vacation and Truant Schools."